

Remarks:

This amendment is submitted in an earnest effort to advance this case to issue without delay.

Main method claim 58 has been amended by insertion into it of the subject matter of now-canceled claim 61, and main apparatus claim 67 has been similarly amended by insertion into it of the subject matter of now-canceled claim 72. Amended claims 58 and 67 are of generally identical scope. In addition a new method claim has been inserted into the case that has all the features of claims 58 and 62.

Some minor problems with the claims have been corrected. No new matter whatsoever has been added.

Since there are less than four independent claims and the number of claims has been decreased, no claim fee is entailed.

Thus both of the amended claims recite a bag-filling method where initially a quantity of bulk material is dumped into an upwardly open bag. Thereafter the material is poured into the bag while the bag's weight is monitored, and filling stops when the bag reaches the desired weight.

The huge advantage of this method is that it is fast. Most of the filling can be done at a fairly high speed, as defined

in dependent claims 62 and 73, and only the topping off to a perfect weight is done at a slower speed. Thus a filled bag of perfect weight can be produced at great speed since only the last stages of filling are slow.

There is no question that these claims are not anticipated by US 3,531,908 of Rausing. There is no weight monitoring in this reference.

The rejection of claims 61 and 72 in the Office Action cannot stand. The argument that monitoring the weight of something while filling it is known might be true, but nothing in the art suggests a two-stage process where the initial stages of filling are done without such monitoring, and that only the final stages are accompanied by this type of weight/feedback control.

To start with, a rejection needs to be based on actual art, so that the examiner's assertion that "Official Notice" is given is not enough. If it is known to monitor the weight of something when it is being filled, art needs to be cited. And for such art to be applicable it should only show such monitoring when the final stages of filling are being done.


Going further, claims 62 and 73 merit particular attention. The recite how the first stage of filling, when there is no weight-related control of the filling, is done at a high volume/time rate and the second stage of filling, where there is

weight-related control of the filling, is done at a slower speed.
Thus new claim 78 is unquestionably patentable.

For these reasons all the claims in the case are clearly
in condition for allowance. Notice to that effect is earnestly
solicited.

If only minor problems that could be corrected by means
of a telephone conference stand in the way of allowance of this
case, the examiner is invited to call the undersigned to make the
necessary corrections.

Respectfully submitted,
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Enclosure: Request for extension (one month)